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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
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Application Number	09/542,718
Filing Date	April 4, 2000
First Named Inventor	H. Yu
Art Unit	1655
Examiner Name	D. Johannsen
Attorney Docket Number	6687.US.O1

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-0025
- i. ☒ RCE fee required under 37 CFR 1.17(e) 03/26/2002 AWONDAF1 00000023 010025 09542718
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 02 FC:179 740.00 CH
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	David J. Schodin	Registration No. (Attorney/Agent)	41294
Signature	<i>David J. Schodin</i>	Date	March 13, 2002

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	JULIE FREEMAN	Date	03/13/2002
Signature	<i>Julie Freeman</i>		

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: H. Yu, *et al.*

Serial No.: 09/542,718

Filed: April 4, 2000

Title: β 2 Adrenergic Polymorphism
Detection

Case No.: 6687.US.O1

Group Art No.: 1655

Examiner: D. Johannsen

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:
Assistant Commissioner for Patents
Washington, D.C. 20231, on:

Date of Deposit: MARCH 13, 2002

Name/Date
Julia Freeman 03/13/2002

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated October 11, 2000, please consider the following remarks.

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AMENDMENTS

Please substitute the following claims for those pending in the present application. A separate paper with versions of these claims marked to show the changes is attached.

In the claims:

1. (Amended) A composition of matter [comprising] consisting of SEQ ID NO 2 and SEQ ID NO 3.
2. (Amended) A composition of matter for detecting a target sequence comprising a first nucleic acid comprising SEQ ID NO 2, a second nucleic acid comprising SEQ ID NO 3, and a third sequence selected from the group consisting of SEQ ID NO 4 and SEQ ID NO 5.
4. (Amended) A method for detecting a target sequence in a test sample comprising the steps of:
 - (a) forming a reaction mixture comprising nucleic acid amplification reagents, the composition of matter of claim 1, and a test sample suspected of containing a target sequence;
 - (b) subjecting the mixture to amplification conditions to generate an amplification product;
 - (c) hybridizing a probe selected from the group consisting of SEQ ID NO 4 and SEQ ID NO 5 to the amplification product to form a hybrid; and
 - (d) detecting the hybrid as an indication of the presence of the target sequence in the test sample.

Please cancel claim 6.